



Where ideas connect

Department of Environmental Quality
Division of Drinking Water

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Drinking Water Board

Boyd Workman
Chairman

Dale F. Pierson
Vice-Chairman

Myron Bateman

Anne Erickson, Ed.D.

Jay W. Franson, P.E.

Laurie McNeill, Ph.D.

Nancy Melich

Dianne R. Nielson, Ph.D.

Ruth Perry

Charlie Roberts

Chris Webb

MINUTES OF THE NOVEMBER 8, 2002 DRINKING WATER BOARD MEETING HELD IN
SALT LAKE CITY, UTAH

Board Members Present

Boyd Workman, Chairman
Dale Pierson, Vice Chairman
Myron Bateman
Jay Franson, P.E.
Laurie McNeill, Ph.D.
Dianne Nielson, Ph.D.
Ruth Perry
Charlie Roberts
Chris Webb

Board Members Excused

Anne Erickson, Ed.D.
Nancy Melich

Guests

Doug Nielsen, Sunrise Engineering
John Chartier, Sunrise Engineering
Neil Forster, West Millard Water Association
Mary Nielsen, Oak City
Winston Nielsen, Oak City
Gayle Bunker, West Millard Water Association
Curtis Ludvigson, Rural Water Association
Fred Smolka, Emigration Improvement District
Russ Donoghue, Rural Water Association
Margot McCallum, self – Emigration
Kerry Spiroff, Maeser/Stantec

Staff

Kevin Brown
Michael Georgeson
Ken Bousfield
Mark Foster
Bob Hart
Linda Matulich

ITEM 1 – CALL TO ORDER

The Drinking Water Board convened in Salt Lake City, Utah with Chairman Workman presiding. The meeting was called to order at 1:00 p.m.

ITEM 2 – ROLL CALL

Chairman Workman asked Kevin Brown to call roll of the Board members. The roll call showed there were 9 members present at the time.

ITEM 3 – INTRODUCTIONS

Chairman Workman welcomed everyone and asked the guests to introduce themselves.

ITEM 4 – APPROVAL OF MINUTES

Chairman Workman stated a motion to approve the October 11, 2002 minutes would be in order.

Dale Pierson moved the Board approve the October 11, 2002 minutes.

Jay Franson seconded.

**CARRIED
(Unanimous)**

ITEM 5 – STATE SRF/REVOLVING LOAN FUND (SRF)/CONSERVATION COMMITTEE

- 1) SRF/Conservation Committee Report – Vice Chairman Pierson
- 2) Status Report

Michael Georgeson reported the Board has \$1.628 million available in the State SRF program - which includes \$826,000 in the Security Account, \$247,000 in Project Grant Account and \$554,000 in the Secondary Account. The tax revenue received during the first three months of the fiscal year 2003 is just a little more than \$9,000. There are some concerns on that amount.

Myron Bateman joined the Board meeting.

Michael Georgeson mentioned staff closed Washington City's \$685,000 loan last week.

Michael Georgeson said the Board has a little more than \$7.8 million available in the Federal SRF program.

Michael Georgeson mentioned staff is looking at closing Emigration's loan in a couple of weeks. Panguitch is working hard on their environmental assessment. Wendover has made arrangements with Rural Development for an additional \$120,000. Staff will be advancing Wendover their request of \$520,000 authorized earlier from the Drinking Water Board.

Michael Georgeson reported he met with Daniel Domestic Water Company representatives last week and reviewed the action taken from the September Board meeting. Daniel Domestic Water Company felt they should have received the same grant consideration as Billy Bethers.

3) State SRF Applications

a) Maeser WID

Dale Pierson mentioned Maeser Water Improvement District was fully funded by the CIB. Maeser Water Improvement District won't need any funding from the Drinking Water Board. Dale stated a motion would be in order to take Maeser Water Improvement District's request off of the agenda.

Charlie Roberts moved to take Maeser Water Improvement District's request off of the agenda.

Myron Bateman seconded.

**CARRIED
(Unanimous)**

Discussion followed.

Michael Georgeson mentioned Maeser Water Improvement District may be taken off of the Project Priority List the next time the list is revised.

b) West Millard Water Agency

Michael Georgeson reported West Millard Water Agency applied to the Board for a planning advance to help them put together information relative to the Arsenic problems they are facing in their area, and funding a culinary water supply master plan. They feel there is a possibility of finding a solution without any additional treatment being installed.

Neil Forster and Gayle Bunker, representing West Millard Water Agency, and Doug Nielsen and John Chartier, Sunrise Engineering, addressed the Board.

Discussion followed.

Myron Bateman moved the Board authorize a planning advance loan of \$60,000 at 0% interest to be repaid in five years.

Ruth Perry seconded.

**CARRIED
(Unanimous)**

c) Oak City Planning Advance

Michael Georgeson reported Oak City applied for a \$10,000 planning advance to help them find another source of drinking water. Oak City was severely impacted by the drought this past summer. Oak City had to restrict water use. Oak City is desirous in finding out what they can do to enhance their drinking water supply.

Winston Nielsen, Oak City representative, and Doug Nielsen and John Chartier, Sunrise Engineering, addressed the Board.

Discussion followed.

Charlie Roberts moved the Board authorize a \$10,000 planning advance loan at 0% interest to be repaid in five years.

Boyd Workman seconded.

**CARRIED
(Unanimous)**

d) R309-700 Hardship Grant Revisions

Michael Georgeson reported there would need to be a revision to Rule 110. Rule 110 is in rulemaking now, and staff can't make any changes to the Rule until it is out of rulemaking. Staff will present the revisions on Rule 110 (which are in the definitions on page 1) when the revisions can be made to the Board. As far as Rule 700 is concerned, there is a revision on page 2 for a (5) Planning Grant on submitting an application, a major revision on page 7 on R309-700-6 Planning Grant (which are shaded in). Some other non-substantive changes will also be made. Michael went over the changes.

Discussion followed.

Chris Webb moved the Board authorize staff to proceed with rulemaking for the Planning Grant Rule, for the criteria to be changed to allow 10,000 in population apply, and to qualify for a grant the entity will have to meet the Hardship Grant criteria.

Boyd Workman seconded.

**CARRIED
(Unanimous)**

4) Federal SRF Applications

a) Emigration Improvement District

Michael Georgeson reported Emigration Improvement District received a one-year extension on closing their loan with the Board sometime ago. Emigration Improvement District has been having some problems, and they are getting close to the date of having to close their loan. Staff is requesting the Board extend the loan authorization closing to March 12, 2003.

Fred Smolka, Emigration Improvement District, addressed the Board.

Margot McCallum, Emigration Canyon resident, addressed the Board.

Discussion followed.

Chris Webb moved the Board approve a 6-month extension of the loan to be closed prior to March 12, 2003.

Myron Bateman seconded.

**CARRIED
(Unanimous)**

Kerry Spiroff, Maeser Water Improvement District/Stantec representative, thanked the Board and Division staff, on behalf of Maeser, for their help.

ITEM 6 – OPERATOR CERTIFICATION COMMISSION MEMBERSHIP RENEWAL

a) Replacement of Don Hayes

Chairman Workman stated a replacement for Don Hayes on the Operator Certification Commission is needed to fill his vacancy.

Dale Pierson moved the Board accept Jay Franson's request to replace Don Hayes on the Operator Certification Commission from the last Board meeting.

Charlie Roberts seconded.

**CARRIED
(Unanimous)**

ITEM 7 – CROSS CONNECTION COMMISSION MEMBERSHIP RENEWAL

a) Replacement of Don Hayes

Chairman Workman stated a replacement for Don Hayes on the Cross Connection Commission is needed to fill his vacancy.

Myron Bateman moved the Board accept Jay Franson's request to replace Don Hayes on the Cross Connection Commission from the last Board meeting.

Ruth Perry seconded.

**CARRIED
(Unanimous)**

b) Renewal of Frank Mills

Ken Bousfield reported Frank Mills' membership is up for renewal this coming year. Frank Mills, representing the Utah League of Cities and Towns, on the Commission has expressed an interest in staying on the Commission. Staff has contacted the Utah League of Cities and Towns but has not been able to get an answer back yet.

Myron Bateman moved the Board put Frank Mills on the Commission for another term on the condition that staff receives support back from the Utah League of Cities and Towns for his renewal for a new term.

Ruth Perry seconded.

**CARRIED
(Unanimous)**

ITEM 8 – AUTHORIZATION OF AN EFFECTIVE DATE ON THE RECENT AMENDMENTS TO RULE R309-700 AND R309-705

Michael Georgeson reported the Board authorized changes to Rule R309-700 and R309-705 a few months ago, and they have gone through the rulemaking procedure. The only comments staff received were from Kent Bishop, of the Division of Administrative Rules, and staff incorporated the comments into the rules. Fred Nelson, Attorney General's Office, mentioned staff could do that with the finding that the comments were non-substantive, so the Board can set the effective date of the rules on or within 120 days of November 1, 2002. The Board can set the effective date of November 15, 2002 for the rules, if they so choose.

Discussion followed.

Chris Webb moved the Board authorize staff to make the effective date of the recent amendments to the Rules R309-700 and R309-705 for November 15, 2002.

Dale Pierson seconded.

**CARRIED
(Unanimous)**

ITEM 9 – AMENDMENTS TO THE ADMINISTRATIVE PENALTY RULE R309-405

Ken Bousfield requested this agenda item be deferred to the next Board meeting.

Dale Pierson moved the Board defer agenda “Item 9 – Amendments to the Administrative Penalty Rule R309-405” to the next Board meeting.

Charlie Roberts seconded.

**CARRIED
(Unanimous)**

ITEM 10 – CHAIRMAN’S REPORT

Chairman Workman had Dianne Nielson bring the Board up-to-date on the 1/16% sales tax issue.

Chairman Workman welcomed Laurie McNeill to the Board, and asked her to give some background on herself to the Board.

ITEM 11 – DIRECTORS REPORT

a) Draft of 2003 Board Meeting Schedule

Kevin Brown mentioned a draft of the 2003 Board meeting schedule is in the packet. A couple of dates have been taken out of the regular Board meeting schedule because of some budget constraints this coming year. Kevin talked to Ruth a couple of months ago on doing a tour of the Phillips Petroleum Company. The Board will tour Phillips Petroleum Company on December 12, 2003 in conjunction with the Board meeting. Kevin asked for other suggestions and or changes to the schedule or if the schedule is ok.

Discussion followed.

The 2003 meeting schedule is ok with the above mentioned change.

b) Rural Water Association of Utah's Annual Conference

Kevin Brown mentioned the Rural Water Association of Utah's Annual Conference will be held February 25 – 28, 2003 at the Dixie Center in St. George. Linda will handle the registrations and motel arrangements for the Board. The Drinking Water Board meeting will be held in conjunction with the Rural Water Association's conference.

c) Utah Water Users' Annual Conference

Kevin Brown mentioned the Utah Water Users' Annual Conference is scheduled for March 18 – 19, 2003. Staff has handled the registration and travel arrangements for the Board members that wanted to attend this conference in the past, even though there hasn't been a Board meeting with this conference for a number of years. Kevin recommended a policy change for this conference and future one's. Because of the budget issues staff is facing, not reimburse the Board for travel expenses and conference registrations. If the budget does improve, then staff can go back to reimbursing the Board for this conference.

Discussion followed.

The Board concurred with Kevin's suggestion in reimbursement of the conference.

d) December Board Meeting Held with the Water Quality Board on December 6, 2002

Kevin Brown mentioned next month we will hold a joint working meeting with the Water Quality Board on December 6, 2002 at 9:00 a.m. in room 201. The two Boards will talk about several issues that cross over between the two Divisions. The working meeting will last about 1.5 hours. If there are any items the Board would like discussed during this work meeting, let Kevin know so it can be added to the agenda. There will be a short break after the work meeting, and the Drinking Water Board will reconvene for the Board meeting at 11:00 a.m. in room 201.

ITEM 12 – NEWS ARTICLES

News Articles are in the packet.

ITEM 13 – LETTERS

Letters are in the packet.

ITEM 14 – UPDATE

Update is in the packet.

ITEM 15 – NEXT BOARD MEETING

The next Board meeting is scheduled for December 6, 2002 in Salt Lake City.

ITEM 16 – OTHER

No other business.

ITEM 17 – ADJOURN

Chairman Workman stated a motion to adjourn the Board meeting was in order.

Dale Pierson moved to adjourn the Board meeting at 2:05 p.m.

Chris Webb seconded.

**CARRIED
(Unanimous)**

Linda Matulich
Recording Secretary